

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, SEPTEMBER 8 1981

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING September 8 A.D., 19 81,
IN Regular SESSION. PRESIDENT John Nuckols
John H. Logan, Council Attorney
IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK,
PRESENT THE FOLLOWING MEMBERS _____ VIZ:

BURNS ✓, EISBART ✓, GiaQUINTA ✓,
NUCKOLS ✓, SCHMIDT, D. ✓, SCHMIDT, V. ✓,
SCHOMBURG ✓, STIER ✓, TALARICO ✓,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

THE INVOCATION WAS GIVEN BY _____

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF
_____, 19____. MOTION MADE AND CARRIED THAT REPORT BE MADE
A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR August 25, 19 81,

_____, 19____,

SPECIAL August 31, 19 81,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.



The City of Fort Wayne

Office of the Mayor

August 27, 1981

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, August 27, 1981, I have approved the following ordinances passed by the Common Council at its regular meeting on August 25, 1981.

(Bill No. A-81-08-09)

APPROPRIATION ORDINANCE NO. A-13-81

AN ORDINANCE appropriating additional funds from Account Number 402-166-166-01-4201 "Services Contractual" and Account Number 402-166-166-01-4701 "Properties"

(Bill No. S-81-08-03)

SPECIAL ORDINANCE NO. S-193-81

AN ORDINANCE providing for an additional civilian member of the Fort Wayne Fire Department

(Bill No. S-81-08-04)

SPECIAL ORDINANCE NO. S-194-81

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE, TO ISSUE ITS ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1981 (CUSTOM LABEL, INC.) AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-81-08-05)

(as amended)

SPECIAL ORDINANCE NO. S-195-81

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE, TO ISSUE ITS ECONOMIC DEVELOPMENT REVENUE BONDS, 1981 SERIES A, B, C AND D (TECO, INC.) AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. R-81-07-07)
RESOLUTION NO. R-62-81

A RESOLUTION recommending the creation of an Economic Development Department

(Bill No. R-81-08-06)
RESOLUTION NO. R-63-81

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF \$28,000,00.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF INDUCING THE APPLICANT, SUMMERLEA COMMONS, INC. TO PROCEED WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. S-81-08-12)
SPECIAL ORDINANCE NO. S-196-81

AN ORDINANCE approving a contract for Street Improvement Resolution No. 5905-81, between the City of Fort Wayne, Indiana, and Gateway Construction Company for curbs and sidewalk improvements

(Bill No. S-81-08-13)
SPECIAL ORDINANCE NO. S-197-81

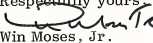
AN ORDINANCE approving a contract for Curb and Sidewalk Improvement Resolution No. 5907-81, between the City of Fort Wayne, Indiana, and T & F Construction Company for the improvement of curbs and sidewalks in the Harrison Hill Addition

(Bill No. S-81-08-14)
SPECIAL ORDINANCE NO. S-198-81

AN ORDINANCE approving City Utilities Purchase Order Numbers 4-09491 and 4-09492 with Business Equipment Company and Shrex, Inc. respectively for office supplies for the Office Services Department

(Bill No. S-81-08-15)
SPECIAL ORDINANCE NO. S-199-81

AN ORDINANCE approving an agreement for Sanitary Sewer Extension between the City of Fort Wayne, Indiana and Teco, Inc.

Respectfully yours,

Win Moses, Jr.
Mayor



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 September 1981

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

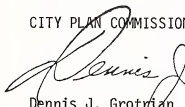
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-81-07-17

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of September 1981.


Dennis J. Grotzian
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 September 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held August 31, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-07-17
2. From R-1 to R-3
3. Intended Use: Professional Office
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The proposed rezoning is compatible with adjacent land uses on Lake Avenue as evidenced by the existing professional offices in the immediate area.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 14, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-07-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

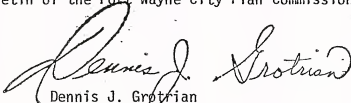
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meetin of the Fort Wayne City Plan Commission held August 31, 1981.

Certified and signed this
1st day of September 1981.


Dennis J. Grotian
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 September 1981

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

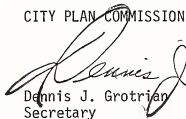
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-81-03-35 (AS AMENDED)

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of September 1981.


Dennis J. Grotrian
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 September 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held April 27, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-03-35 (AS AMENDED)
2. From RA to R-1
3. Intended Use: Single Family Residential
4. Plan Commission Recommendation: DO PASS with conditions.

CONDITION: The petition delete the following described RA property from the rezoning request:

That portion of land bounded on the south by the north lot lines of lots 1 through 20 in Seneca Hills, Section 1 and the north lot line of the property owned by Mr. Mounsey; bounded on the west by the east lot lines of lots 119 and 120 in Seneca Hills, Section V; bounded on the north by the B-4 zoned area; and bounded on the east by the west lot lines of lots 28, 29, 30, 31 and 32 in Trixholme Addition, Section A.

NOTE: The petitioner has complied with the condition as will be noted by the amended ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 24, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-03-35 (AS AMENDED); and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

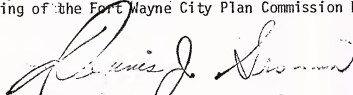
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 20, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

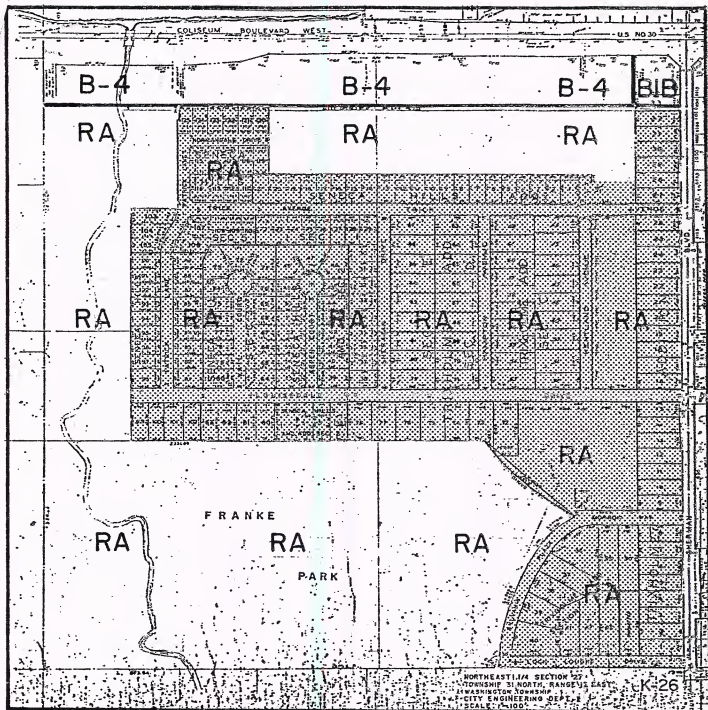
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.


This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 27, 1981.

Certified and signed this
1st day of September 1981.

A handwritten signature in dark ink, appearing to read "Dennis J. Grotzian", is written over the printed name and title.

Dennis J. Grotzian
Secretary



 ZONING RECLASSIFICATION FROM AN RA ZONE TO A R-1 DISTRICT.

Z-81-03-35 (AS AMENDED)

MAP NO. K-26





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 September 1981

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

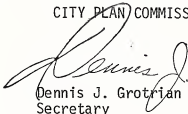
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-81-07-36 (AS AMENDED)

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of September 1981.


Dennis J. Grotrian
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 September 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held August 31, 1981. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. Z-81-07-36
2. From R-1 to B-4
3. Intended Use: Grocery Store & Food Carry Out
4. Plan Commission Recommendation: DO PASS as PERFECTED and for the following reason:

PERFECTION: From B-4 to B-1-A

REASON: The level of commercial zoning requested is inconsistent with the Oxford Neighborhood Plan, however the B-1-A, as proposed by the Site Committee reflects the wishes of the neighborhood as outlined in the Plan.

"Given that Oxford Street presently has the character of a neighborhood-oriented commercial area, B-1-B or B-1-A, businesses are most appropriate to maintain this character. In addition, the Plan encourages that existing facilities be utilized first in developing new businesses, which can then expand in line with present zoning restrictions."

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Gary F. Baeten
Senior Planner

GFB:pb

Attachments

AN EQUAL OPPORTUNITY EMPLOYER

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 28, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-07-36; and;

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

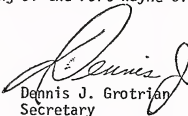
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1981;


NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

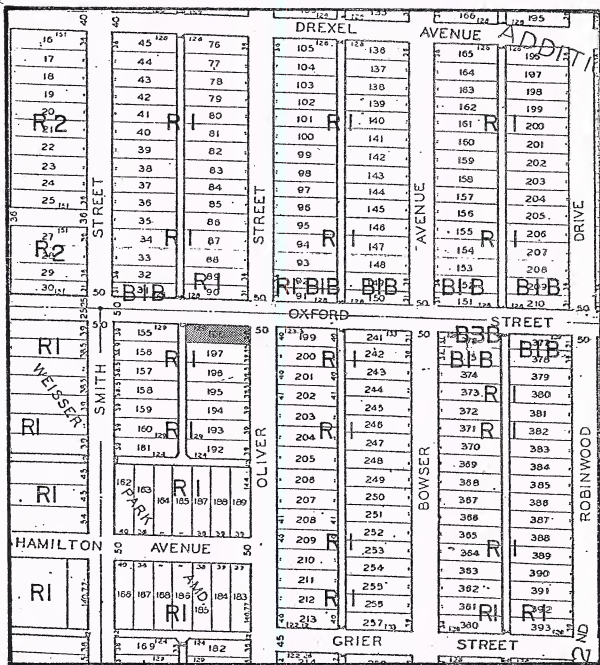
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.


This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 31, 1981.

Certified and signed this
1st day of September 1981.


Dennis J. Grotrian
Secretary





 Request to Rezone from "R1" zoning to "B4" zoning

PERFECTED TO: Rezone from "R-1" zoning to a "B-1-A" Zoning

Map No. O - II

Z-81-07-36

N



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 September 1981

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

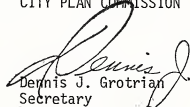
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:


BILL NO. Z-81-07-35

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of September 1981.


Dennis J. Grotrian
Secretary





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 September 1981

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held August 31, 1981. In addition to the reasons outlined in the resolutions, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-81-07-35
2. From R-2 to B-3-B
3. Intended Use: Antique Shop
4. Plan Commission Recommendation: DO NOT PASS

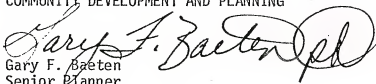
This ordinance received a DO NOT PASS recommendation for the following reasons:

- a. The proposed rezoning is not consistent with the Northwest Central Neighborhood Plan which proposes maintenance of the residential character of this portion of Wells Street.
- b. The proposed rezoning will establish an undesirable zoning precedent.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 28, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-07-35; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

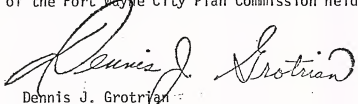
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on August 17, 1981;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

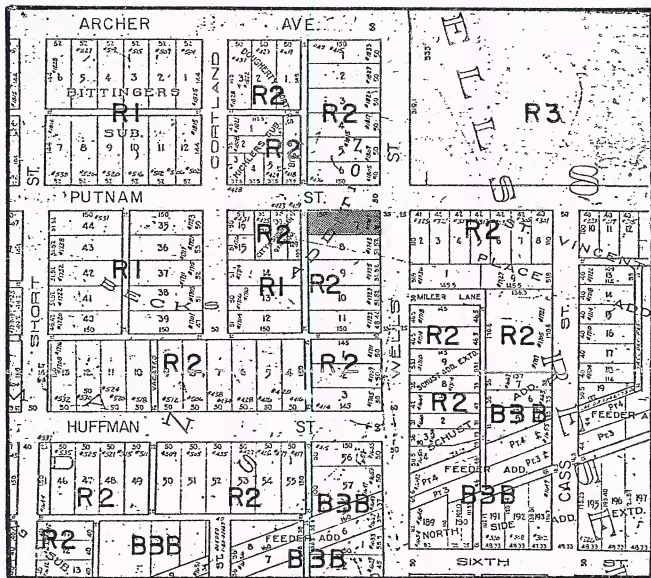
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 31, 1981.

Certified and signed this
1st day of September 1981.



Dennis J. Grotrian
Secretary



Request to Rezone from "R2" to "B3B" Zoning

Map No. L-14

Z-81-07-35





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

2 September 1981

TO: The Common Council
City of Fort Wayne

RESOLUTION
OF THE
CITY PLAN COMMISSION

BE IT HEREBY RESOLVED that the City Plan Commission recommends
DO PASS for the Trans Am Annexation, Annexation Bill No. X-81-06-12 and
Resolution No. R-81-06-13.

Certified and signed this
2nd day of September 1981.

Dennis J. Grotrian
Secretary

Memorandum

To Members of the Common Council

Date 9/2/81

From Abe Farkas, Director, CD&P

Subject Trans Am Annexation

COPIES TO:
Common Council
George Martin
file

At the August 31, 1981 meeting of the City Plan Commission, the Commission passed a resolution recommending that the Trans Am voluntary annexation Bill No. X-81-06-12 and Resolution No. R-81-06-13 be given a "DO PASS". A copy of the resolution and the annexation fiscal plan are attached for your consideration. The ordinance and annexation resolution have been returned to the Council for action.

The area proposed for annexation encompasses approximately 19.5 acres and is located east of the city on the west side of Maplecrest Road between Vance Avenue and State Boulevard. The land is presently vacant, although development plans propose the construction of 13 commercial structures and a senior citizens apartment complex. This area meets the legal requirements for annexation and the city will be able to provide services when the area is annexed.

It should also be pointed out that this voluntary annexation is part of the proposed Blackhawk Annexation (X-80-02-34). As a result, the Blackhawk ordinance will have to be amended, with the Trans Am territory being deleted. A copy of this amendment (X-81-06-11) is attached for your consideration.

Please inform us of any meetings to discuss this annexation so that we can be available to answer your questions.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 63/81/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Nick Palermo", is written over the printed name.

Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 63/81/E)

I hereby certify that I did this 28th day of
August, 1981 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 63/81/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 63/81/E

(Adopted August 28, 19 81)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 42/81/E: NO PARKING

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated August 28, 19 81,
submitted to this Board his advice with regard to the regulation
herein adopted, which written memorandum is on file in the
office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF
THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by
Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne,
Indiana of 1974 to make temporary or experimental regulations to
cover special conditions, it is hereby ordered, effective

August 28, 19 81, and for a
period of sixty (60) days thereafter, and when signs are erected
pursuant hereto giving notice thereof, that the FOLLOWING IS
ESTABLISHED:

NO PARKING

(EMERGENCY)

Camden Dr. -- east side -- from Essex Lane to Archwood Dr.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 8th day of September, 19 81 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19 ____.

Charles W. Westerman
City Clerk